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SUBJECT: PARAGUAY'S 2010 TRAFFICKING IN PERSONS REVIEW

REF: A. STATE 2094; B. ASUNCION 31; C. 09 ASUNCION 389  
[1](#)D. 09 ASUNCION 147

[1](#)1. (SBU) This cable responds to reftel A questions regarding anti-trafficking in persons (TIP) efforts in Paraguay.

[1](#)2. (SBU) THE COUNTRY'S TIP SITUATION

2A. What is (are) the source(s) of available information on human trafficking? What plans are in place (if any) to undertake further documentation of human trafficking? How reliable are these sources?

Individual members of the government's Inter-Institutional Roundtable for the Prevention and Combat of Trafficking in Persons (hereafter referred to as the "Roundtable,") including the Foreign Ministry, Public Ministry, Women's Secretariat (SMRP), Children's and Adolescents' Secretariat (SNNA), and Development Secretariat for the Repatriated and Co-National refugees (SEDERREC), published limited information from their ministries on trafficking in persons, particularly on trafficking cases. The Roundtable also publishes in March a consolidated annual compendium of its anti-trafficking efforts that includes some of the results of its member organizations.

The International Labor Organization (ILO), International Organization for Migration (IOM), United Nations Children's Fund (UNICEF), and several NGOs have studied Paraguay's trafficking situation and published reports related to sexual exploitation and forced labor in Paraguay. Information published by these organizations offers a general overview of Paraguay's trafficking problem but few statistics. Information on trafficking in Paraguay is generally reliable but imprecise.

2B. Is Paraguay a country of origin, transit, and/or destination for men, women, or children subjected to conditions of commercial sexual exploitation, forced or bonded labor, or other slave-like conditions? Are citizens or residents of the country subjected to such trafficking conditions within the country? If so, does this internal trafficking occur in territory outside of the government's control (e.g. in a civil war situation)? From where are people recruited or from where do they migrate prior to being subjected to these exploitative conditions? To what other countries are people

trafficked and for what purposes? Provide, where possible, numbers or estimates for each group of trafficking victims. Have there been any changes in the TIP situation since the last TIP Report (e.g. changes in destinations)?

Paraguay is a country of origin and transit for women and children who are internationally trafficked for sexual exploitation. It is also a country of origin and transit for men, women and children who are internationally trafficked for purposes of domestic servitude and manual labor. Paraguay is not an international destination for internationally trafficked women and children, although some domestic trafficking of women and children for sexual exploitation and forced labor occurs.

Trafficking occurs within Paraguay's borders in territory controlled by the government. Women trafficked for sexual exploitation come predominately from the Central, Alto Parana and Caaguazu Departments, while smaller numbers come from the departments of Caazapa and San Pedro. As of December 7, 2009, the special anti-TIP unit in the Public Ministry had 118 pending criminal cases involving victims trafficked internationally. Most victims were trafficked to Argentina (60 percent), Spain (16 percent) and Bolivia (13 percent); smaller numbers of victims went to Chile, France, Korea, and Japan. Domestically, most victims were trafficked to Asuncion, Ciudad del Este, and Encarnacion.

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Most trafficking victims depart Paraguay via land border crossings near Ciudad del Este, Asuncion, and Encarnacion. The Women's Secretariat provided direct aid to 19 women in 2009. Of these, two were trafficked domestically, while the others went to Argentina (53%), Bolivia (31%), Japan (8%), and Spain (8%).

Anecdotal evidence suggests that each year several thousand women, children, adolescents, and trans-gendered prostitutes (taxi boys) are trafficked internationally. An estimated 80 percent of victims are young women and adolescent girls. The Women's Secretariat (SMPR) estimated in January 2010 that 95 percent of TIP victims are exploited for commercial sexual purposes and that 52 percent of victims were minors. The NGO Center for Attention, Prevention, and Surveillance of Boys, Girls, and Adolescents (CEAPRA), which operates a children's shelter in Ciudad del Este, estimated in 2008 that up to 20 victims were trafficked each day to Brazil and Argentina via the Friendship Bridge in Ciudad del Este. In April 2009, police in Encarnacion estimated up to 13 women a week were recruited and transported to Argentina.

The Government of Paraguay took significant steps to increase anti-TIP budgets, open more criminal cases, and support ministries and directorates by adding resources to care for and assist victims. In general the TIP situation in Paraguay regarding destinations, sources and methods of traffickers did not change significantly since the last report. There are reports that other countries, including Chile and Argentina, are being used as transit points for traffickers moving victims to Europe because of increased awareness and involvement of Paraguayan airport authorities.

2C. What kind of conditions are the trafficking victims subjected?

Once victims arrive at their international destination, they are typically forced to surrender their travel documents and are subjected to a severe beating that serves as a warning of what will come if they attempt to flee. Afterward, they are sexually exploited in brothels or night clubs, or forced into domestic servitude in sweatshops or private residences.

2D. Vulnerability to TIP: Are certain groups of persons more at risk of human trafficking (e.j. women and children, boys versus girls, certain ethnic groups, refugees, IDPs, etc.)? If so, please specify the type of exploitation for which these groups are most at risk (e.g. girls are more at risk of domestic servitude than boys).

Paraguayan women, adolescent girls, and children are most at risk of being trafficked, primarily for purposes of sexual exploitation. Many street children are also trafficking victims. Studies show that most victims worked as street vendors when traffickers targeted them and that 70 percent of victims had drug addictions. Poor indigenous women living in the interior are also at significant risk. Argentine authorities speaking at seminars in Paraguay noted they frequently require translation assistance from Paraguayan consulates to interview TIP victims who speak only Guarani.

2E. Traffickers and Their Methods: Who are the traffickers/exploiters? Are they independent business people? Small or family-based crime groups? Large international organized crime syndicates? What methods are used to gain direct access to victims? For example, are the traffickers recruiting victims through lucrative job offers? Are victims sold by their families, or approached by friends of friends? Are victims "self-presenting" (approaching the exploiter without the involvement of a recruiter or transporter)? If recruitment or transportation is involved, what

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methods are used to recruit or transport victims (e.g., are false documents being used)? Are employment, travel, and tourism agencies or marriage brokers involved with or fronting for traffickers or crime groups to traffic individuals?

Most traffickers are Paraguayan, Brazilian, and Argentine. Many work in large, organized criminal syndicates based in Argentina and Brazil with local contacts operating nationwide, particularly in Asuncion, Ciudad del Este, and Encarnacion.

Traffickers include relatives or acquaintances of victims who are paid by syndicates to refer victims. They typically make initial contact by offering false promises of educational opportunities and employment, including work in the service industry or as models.

In some cases, parents are aware that their children plan to work in other cities or countries, but are unaware of the potentially exploitative conditions they will encounter. Some parents believe they are helping their children by giving them new opportunities to work and improving their overall living condition. Other parents sell their children to traffickers for profit fully knowing the repercussions.

Victims who accept these offers are referred to handlers, including some who double as travel agents, who facilitate travel and lodging, and issue false travel documents. Traffickers then transport victims domestically or internationally through unrecognized or lightly monitored border crossings. There is also a reported increase in the use of transit countries such as Chile and Argentina to move Paraguayans to Europe.

### 13. (SBU) SETTING THE SCENE FOR THE GOVERNMENT'S ANTI-TIP EFFORTS

3A. Does the government acknowledge that human trafficking is a problem in Paraguay? If not, why not?

Yes.

3B. Which government agencies are involved in efforts to combat sex and labor trafficking - including forced labor - and, which agency, if any, has the lead in these efforts?

The Public Ministry is the lead agency in investigating and prosecuting traffickers. The Attorney General's office of the Public Ministry established a Trafficking in Persons Unit in October 2008. Currently, Paraguay has two sections within the

specialty unit. Both sections are based in Asuncion, and together contain two prosecutors and ten assistants dedicated to combating the trafficking of persons. These TIP prosecutors work with local prosecutors nationwide, particularly in Ciudad del Este and Encarnacion, to investigate and prosecute traffickers.

The Foreign Ministry, Women's Secretariat (SMPR), Children's and Adolescents' Secretariat (SNNA), and Development Secretariat for the Repatriated and Co-National Refugees (SEDERREC) work closely with the Public Ministry to combat TIP. The Interior Ministry, which oversees the National Police as well as Immigration, assists the Public Ministry with investigations and arrests. The Interior Ministry announced January 9 the creation of an intra-agency working group on trafficking and other issues. In July 2009, the Interior Ministry upgraded its TIP unit from a "section" to a "division" giving it more clout and direct access to resources. It also established regional anti-TIP offices in the Paraguayan cities of Ciudad del Este (CDE) which opened in September 2009, Colonel Oviedo, Encarnacion, Caaguazu, and Puerto Elisa. These units are comprised of around 6 policemen who conduct investigations and work to channel TIP complaints to the right offices in the Public

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Ministry. They also cooperate with Immigration to combat trafficking across borders. In total, the Interior Ministry's anti-TIP division now contains 33 employees.

The government coordinates anti-trafficking efforts through its Inter-Institutional Roundtable for the Prevention and Combat of Trafficking in Persons led by the Foreign Ministry. The Roundtable consists of four sub-committees on Prevention, Prosecution, Assistance, and Legislation, which each meet monthly. The executive committee of the Roundtable meets bi-monthly, and a plenary session of all members meets three times a year.

Agencies participating in the Roundtable include the Foreign Ministry; Public Ministry; SMPR; SNNA; SEDERREC; Ministry of Education and Culture; Ministry of Industry and Commerce; National Tourism Secretariat; Social Action Secretariat; Directorate General of Statistics, Surveys, and Censuses; Directorate General of Migration; National Police, Interpol, and Crime Identification and Investigation; Itaipu Binational Authority; Public Defender's office; the military's Joint Peace Operation Training Center (CECOPAZ) and the Municipality of Asuncion.

International organizations that participate in the Roundtable include the IOM, ILO, Inter-American Development Bank (IDB), UNICEF, and the United Nations Population Fund (FNUAP). Representatives from foreign missions, including the United States, European Union, Spain, Argentina, and Brazil, also participate as observers.

NGOs that participate in the Roundtable include Amnesty International Paraguay; Aprevim Paraguay; BASE IS; Business Bureau of Consultants and Advisors (BECA); Paraguay Human Rights Coordinator (CODEHUPY); Children's and Adolescents' Rights (CDIA); Women's Forum of Mercosur; Center for Integral Assistance (CEDAI) Foundation; Arco Iris Foundation; Paraguayan Foundation of the Catholic Commission of International Migrations; Marco Aguayo Foundation for the Fight Against AIDS/HIV; Global Infancia; Grupo Luna Nueva; Institute of Comparative Social and Penal Science Studies (INECIP); Soroptimist International; and others.

3C. What are the limitations on the government's ability to address this problem in practice? For example, is funding for police or other institutions inadequate? Is overall corruption a problem? Does the government lack the resources to aid victims?

The government's ability to address human trafficking in practice is limited by insufficient financial and technical resources. The government focuses its efforts on prosecuting traffickers and providing victims' assistance. However, it has begun to expend additional resources on prevention efforts and awareness outreach. In January 2010, the Women's Secretariat anti-TIP unit was upgraded

from a committee to a directorate, and obtained its own dedicated line in the Congressional budget for the first time. Within the Public Ministry, the TIP unit was one of the few sections to register a budget increase over the previous year.

In areas where funding is available, government agencies involved in fighting TIP often have to make difficult choices. Some officials do not have computers, adequate access to information, or official vehicles to transport victims. This is especially true in the police. Victims typically received limited government assistance.

Further compounding the government's ability to address the problem are allegations of interagency rivalry, distrust among officials, and weak or nonexistent land border controls. There are allegations that some government officials undermined investigations or alerted suspected traffickers of impending arrests. In Paraguay, government corruption is a severe problem and the wealthy and powerful criminal syndicates are alleged to

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frequently corrupt police and judicial activities.

3D. To what extent does the government systematically monitor its anti-trafficking efforts (on all fronts - prosecution, victim protection and protection) and periodically make available, publicly or privately and directly or through regional/international organizations, its assessments of these anti-trafficking efforts?

The government made progress in monitoring its anti-trafficking efforts, especially in the area of prosecution. Still, its ability to monitor efforts in prevention and protection of victims of trafficking in persons was limited by resource constraints. The Foreign and Interior Ministries both publish annual summary reports which include special chapters regarding anti-trafficking accomplishments and a review of some ongoing TIP projects and prosecutions. The Roundtable conducted a review in December 2009 of the efforts and achievements of its component parts which will result in the publishing in March 2010 of a comprehensive report on what Paraguay accomplished in 2009.

3E. What measures has the government taken to establish the identity of local populations, including birth registration, citizenship, and nationality?

The government took significant steps to improve its federally-issued identity documents during the reporting period. The government replaced the handling and transfer of physical ID documents with a modern information system that applies enhanced security controls. Paraguay also redesigned and upgraded ID cards and passports in 2009, using the UN's International Civil Aviation Organization requirements. Paraguayan citizens now receive tamper-proof documents.

The failure to register all births resulted in some discrimination, including the denial of public services. In 2008 the Secretariat for Children and Adolescents (SNNA) registered approximately 255,000 births, but unofficial estimates suggested that up to 35 percent of births were unregistered.

3F. To what extent is the government capable of gathering the data required for an in-depth assessment of law enforcement efforts? Where are the gaps? Are there any ways to work around these gaps?

The Public Ministry publishes an annual report that includes statistical data regarding the ministry's work that is broken down both by type of incident and geographically. Agencies or sub-units that receive complaints and telephone calls often do not maintain statistics. When the statistics are maintained locally, the

federal government does not always consolidate everything in an easily accessible format.

14. (SBU) INVESTIGATION AND PROSECUTION OF TRAFFICKERS

4A. Existing Laws against TIP: Does the country have a law or laws specifically prohibiting trafficking in persons -- both for sexual exploitation and labor? If so, please specifically cite the name of the law(s) and its date of enactment and provide the exact language [actual copies preferable] of the TIP provisions. Please provide a full inventory of trafficking laws, including non-criminal statutes that allow for civil penalties against alleged trafficking crimes (e.g. civil forfeiture laws and laws against illegal debt). Does the law(s) cover both internal and transnational forms of trafficking? If not, under what other laws

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can traffickers be prosecuted? For example, are there laws against slavery or the exploitation of prostitution by means of force, fraud, or coercion? Are these other laws being used in trafficking cases?

Law 3440/08 "Modifying Various Articles of the Penal Code," which includes a provision ratifying a series of international conventions on trafficking in persons for sexual exploitation and labor, went into effect on July 16. Under Law 3440/08, Paraguay became a signatory to ILO Convention 182 concerning the elimination of the worst forms of child labor; ILO Conventions 29 and 105 on forced and compulsory labor; the optional protocol to the Convention on the Rights of the Child (CRC) on the sale of children, child prostitution, and child pornography; and the Protocol to Prevent, Suppress and Punish Trafficking in Persons.

Law 3440/08's anti-trafficking in persons statute took effect on July 16. An unofficial English translation of the statute follows:

BEGIN TRANSLATION.

"Article 129b.- Trafficking in persons for sexual exploitation.

1 .- Whoever takes advantage of a situation of constraint or vulnerability of another found in a foreign country, induces or coerces him/her to participate in or to continue to participate in prostitution or bringing about other sexual acts, with another or in front of another, with purposes of sexual exploitation, shall be sentenced to deprivation of liberty for up to eight years. The same penalty shall be applied to whoever induces a minor under eighteen years of age to participate in or continue to participate in prostitution or in the performance of acts indicated in paragraph 1.

2 .- With a prison sentence of up to twelve years, the person will be punished who, by force, threat, deception or trickery:

11. induces another to participate in or continue to participate in prostitution or sexual acts indicated in subsection 1, paragraph 2;

12. detains another with intent to induce them to participate in prostitution or continue to act as a prostitute or commit sexual acts indicated in subsection 1, paragraph 2.

3 .- The same penalty applies when the victim is:

11. a person under fourteen, or

12. is exposed, upon doing the act, to grave physical abuse or danger to his/her life.

4 .- With the same penalty shall be punished he who acts commercially or belongs to a gang that was formed for the purpose of realizing acts indicated in the preceding paragraphs. In this case, Articles 57 and 94 will also be applied.

The consent of a victim to any form of exploitation is not taken into account when using any of the means enunciated in this article.

Art 129c .- Trafficking in persons for purposes of personal exploitation and labor.

1 .- Whoever takes advantage of the constraint or vulnerability of another found in a foreign country, subjects another to slavery, servitude, forced labor or similar conditions, or makes someone do or continue to do work in conditions disproportionately inferior to other people who do identical or similar work, shall be sentenced to deprivation of liberty for up to eight years. The same penalty shall be applied to whoever subjects a minor less than eighteen

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years of age to slavery, servitude, forced labor or similar conditions, or to the performance or continuation of work indicated in paragraph 1.

2 .- With a prison sentence of up to twelve years, the person will be punished who, by force, threat, deception or trickery:

1. subjects another to slavery, servitude, forced labor or similar conditions, or attempts to make someone do or continue to do work indicated in subsection 1, paragraph 1;

2. detains another with the intention to subject them to slavery, servitude, forced labor or similar conditions, or attempts to make them do or continue to do work indicated in subsection 1, paragraph 1;

3. detains another with intent of facilitating the extraction his organs without consent.

3 .- The provisions in article 129b, paragraph 3 and 4, also apply.

The consent of a victim to any form of exploitation will not be taken into account when using any of the means enunciated in this article."

END TRANSLATION.

Before the new law went into effect in July 2009, the 1997 Penal Code Law (1160/97) was in effect. The TIP statute of Law 1160/97 prohibited trafficking in persons for sexual exploitation and labor. It contained several articles that addressed trafficking in persons and associated violations, including: Article 129 Trafficking in Persons; Article 246 Production of Illegal Documents; Article 25 Production of Government Documents with False Information; Article 185 Extortion; Article 25 - which prohibited the forced extraction of a person from Paraguayan territory; Article 24 Deprivation of Freedom; Articles 20 and 121 Coercion and Grace Coercion; Article 22 Threats; and Article 135 Child Sexual Abuse. These articles were not properly enforced.

Laws for domestic trafficking do not exist; however, prosecutors have used other laws to investigate and prosecute trafficking. The 2001 Children and Adolescents Law (1680/01) includes provisions that could be used in the prosecution against traffickers, including: Article 25 Children's rights Against Exploitation and Article 31 - which prohibited the use of children in commercial sexual activities. The 1997 Adoptions Law protects the rights of children against violence and exploitation. The 2000 Domestic Violence Law (1600/00) protects women and children from physical violence and violence associated with trafficking in persons. These laws remain in effect under the new penal code.

4B. Punishment of Sex Trafficking Offenses: What are the prescribed and imposed penalties for trafficking people for sexual exploitation, including for the forced prostitution of adults and the prostitution of children?



The 1997 Penal Code's anti-trafficking statute in effect until July 15 prescribed up to eight years' imprisonment for international trafficking for the purpose of prostitution, sexual exploitation, intent to commit personal sexual acts, slavery, forced servitude, or subjecting victims to inferior working conditions.

The revised Penal Code, Law 3440/08, which went into effect on July 16, punishes offenders with imprisonment of up to eight years for taking advantage of another person who is vulnerable, or compelling the victim to practice prostitution or engage in sexual acts for the purposes of sexual exploitation. The same penalty applies to those whom aid and abet a person who compels a person under 18 years of age to practice activities related to sexual exploitation.

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The revised statute also punishes offenders for up to twelve years should the crime be considered an aggravated offense. The statute also explicitly provides penalties of up to twelve years when a trafficking victim is under fourteen years of age, or is exposed to serious injury or whose life is in danger. It includes a provision for offenders committing trafficking offenses through gang involvement or commercial activities.

Laws used to prosecute domestic traffickers, including the 2001 Children and Adolescents Law, 1997 Adoptions Law, and 2000 Domestic Violence Law, sentence traffickers up to five years in prison for exploiting victims under eighteen years of age, and up to five years for labor exploitation.

4C. Punishment of Labor Trafficking Offenses: What are the prescribed and imposed penalties for labor trafficking offenses, including all forms of forced labor? If your country is a source country for labor migrants, do the government's laws provide for criminal punishment -- i.e. jail time -- for labor recruiters who engage in recruitment of workers using knowingly fraudulent or deceptive offers with the purpose of subjecting workers to compelled service in the destination country? If your country is a destination for labor migrants (legal/regular or illegal/irregular), are there laws punishing employers or labor agents who confiscate workers' passports or travel documents for the purpose of labor trafficking, switch contracts without the worker's consent as a means to keep the worker in a state of compelled service, or withhold payment of salaries as means of keeping the worker in a state of compelled service?

The revised Penal Code punishes offenders with up to eight years' imprisonment for enslaving an individual or forcing anyone into servitude. The penalty is the same when the victim is a minor. The penalty increases to twelve years in prison when the offender commits the crime in an aggravated manner. The law does not specifically penalize recruiters who engage in recruitment of workers using knowingly fraudulent or deceptive offers with the purpose of subjecting workers to trafficking.

The Ministry of Labor and Justice (MJT) also has the authority to fine companies for violating minimum wage and child labor laws or engaging in forced labor. It can also refer cases to the Public Ministry for criminal prosecution.

4D. What are the prescribed penalties for rape or forcible sexual assault? (NOTE: This is necessary to evaluate a foreign government's compliance with TVPA Minimum Standard 2, which reads: "For the knowing commission of any act of sex trafficking... the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault (rape)." END NOTE)

The law criminalizes rape, including spousal rape, and provides penalties of up to 10 years in prison for rape or forcible sexual assault. If the victim is a minor under the age of 18, sentences range from three to 15 years.



4E. Law Enforcement Statistics: Did the government take legal action against human trafficking offenders during the reporting period? If so, provide numbers of investigations, prosecutions, convictions, and sentences imposed, including details on plea bargains and fines, if relevant and available. Please note the number of convicted traffickers who received suspended sentences and the number who received only a fine as punishment. Please indicate which laws were used to investigate, prosecute, convict, and sentence traffickers. Also, if possible, please disaggregate

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numbers of cases by type of TIP (labor vs. commercial sexual exploitation) and victims (children under 18 years of age vs. adults). What were the actual punishments imposed on convicted trafficking offenders? Are they serving the time sentenced? If not, why not?

Yes, the government took continuous legal action against human trafficking offenders during the reporting period. In 2009, the Public Ministry investigated 119 TIP cases; indicted 47 suspected traffickers and associates; and earned convictions in two cases against two traffickers who both entered into plea bargains that resulted in two year prison terms. The Public Ministry used the laws referenced in section 4A to prosecute traffickers. Additionally, they began some investigations using anti-pimping laws. Separately, the National Police Anti-TIP units investigated 30 complaints received in calendar year 2009, conducted 26 raids, and apprehended 24 suspected traffickers.

4F. Does the government provide any specialized training for law enforcement and immigration officials on identifying and treating victims of trafficking? Or training on investigating and prosecuting human trafficking crimes? Specify whether NGOs, international organizations, and/or the USG provide specialized training for host government officials.

Yes, the government provided and supported specialized TIP training. The Roundtable provided government officials with training on TIP via seminars during the reporting period. For example, the Roundtable hosted in November 2009 an anti-trafficking seminar led by Argentine Gloria Bonatto for TIP officials in Asuncion. Dr. Bonatto is Argentina's director for the area of TIP and Commercial Sexual Exploitation of Children in the Ministry of Social Development. In September 2009, eight prosecutors and police officials attended anti-TIP seminars at the International Law Enforcement Academy in Lima, Peru with USG support. The Women's Secretariat led 12 regional workshops that addressed the government response to trafficking from the perspective of local prosecutors, police, and social workers. These workshops reached approximately 1000 individuals throughout the country

With support of the Paraguayan government, International Woman of Courage Cynthia Bendlin, travelled to Europe on an OIM grant to instruct Paraguayan consular officials in Spain and Italy on how to receive, interview, and assist victims in filing complaints and follow-up with law enforcement officials. She conducted the same training with Paraguayan officials in Argentina and will go to Washington, DC in March 2010 to deliver the same training. Over thirty government officials received training.

Police officers and prosecutors use basic, reactive investigative techniques; they do not use advanced investigative techniques such as electronic surveillance and undercover operations.

4G. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases? If possible, provide the number of cooperative international investigations on trafficking during the reporting period.

The government cooperates with other governments and Interpol in

the investigation and prosecution of trafficking cases. Government officials from the Foreign Ministry (including Paraguayan embassies and consulates), Public Ministry, National Police and SEDERREC cooperated during the reporting period with Argentine, Bolivian, Brazilian, Chilean, Dutch, Indonesian, and Spanish authorities to investigate trafficking cases and repatriate victims.

Dutch authorities detained 44 Paraguayans in December 2009 when they arrived by plane at Amsterdam's international airport. The

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Paraguayan Ministry of Foreign Affairs assisted the TIP victims, including providing repatriation assistance, and worked with Dutch authorities to deal with an alleged trafficker, who was arrested in the Netherlands.

Anti-trafficking prosecutor Teresa Martinez worked closely with Argentine counterparts on several investigations. In one case, Paraguay extradited a trafficker to Argentina to face prosecution. In another case, 10 Paraguayan minors were rescued from a brothel in Buenos Aires and brought back to Paraguay with support from the Paraguayan Embassy in Argentina.

Similar cooperation existed between Teresa Martinez and Bolivian authorities involving a September 2009 case where 13 Paraguayan women were found enslaved in a brothel in La Paz. Martinez traveled to Bolivia to collaborate with the Bolivians and to pursue leads that could lead to prosecution of traffickers in Paraguay. One of the victims decided to cooperate with prosecutors.

4H. Does the government extradite persons who are charged with trafficking in other countries? If so, please provide the number of traffickers extradited during the reporting period, and the number of trafficking extraditions pending. In particular, please report on any pending or concluded extraditions of trafficking offenders to the United States.

The government extradites persons who are charged with trafficking in other countries if it has extradition treaties with those countries. Paraguay has a multi-lateral extradition treaty with Mercosur countries and bi-lateral extradition treaties with the United States, Argentina, Canada, Chile, Colombia, Costa Rica, Ecuador, Peru, Uruguay, and Venezuela. The law allows Paraguayans and foreign nationals who were charged with trafficking in other countries to be extradited. The government, working with the Argentines, extradited one trafficker during the reporting period.

4I. Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level? If so, please explain in detail.

There were reports by members of the anti-TIP community that public officials, including political figures, border guards, police, prosecutors, judges, or other officials, participated in, facilitated, or condoned human trafficking at the local level. There were reports that officials accepted bribes directly or indirectly to facilitate trafficking in persons and to release victims from incarceration. Corruption, especially in Ciudad del Este, extends beyond the single issue of trafficking in persons.

4J. If government officials are involved in human trafficking, what steps has the government taken to end such complicity? Please indicate the number of government officials investigated and prosecuted for involvement in trafficking or trafficking-related corruption during the reporting period. Have any been convicted? What sentence(s) was imposed? Please specify if officials received suspended sentences, or were given a fine, fired, or reassigned to another position within the government as punishment. Please indicate the number of convicted officials that received suspended sentences or received only a fine as punishment.

Despite reports of involvement by government officials in trafficking in persons, the Public Ministry did not investigate these allegations, and no government officials resigned or were removed over allegations of trafficking. A lack of resources, political will, and the power of organized crime hindered prosecutors' ability to prosecute government officials for

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trafficking.

4K. For countries that contribute troops to international peacekeeping efforts, please indicate whether the government vigorously investigated, prosecuted, convicted and sentenced nationals of the country deployed abroad as part of a peacekeeping or other similar mission who engaged in or facilitated severe forms of trafficking or who exploited victims of such trafficking.

The military's Joint Peace Operation Training Center (CECOPAZ) supports the United Nations' global peacekeeping operations with peacekeepers. The Paraguayan military deployed a platoon of 31 peacekeepers to Haiti under MINUSTAH, a squad of 17 peacekeepers to D.R. Congo, 10 to Cote d'Ivoire, 9 to Sudan, and a total of 16 peacekeepers to Nepal, Western Sahara, Liberia and Afghanistan. The military is now preparing a 100-member engineering company to conduct peacekeeping missions under its own flag, and plans to deploy this unit in March 2010. The military conducted police and military background checks on all soldiers before allowing them to join the unit, and CECOPAZ members received human rights training as part of their pre-deployment regimen. There were no incidents of Paraguayans deployed abroad that required investigation, prosecution, conviction, or sentencing for trafficking-related offenses.

4L. If the country has an identified problem of child sex tourists coming to the country, what are the countries of origin for sex tourists? How many foreign pedophiles did the government prosecute or deport/extradite to their country of origin? If your host country's nationals are perpetrators of child sex tourism, do the country's child sexual abuse laws have extraterritorial coverage (similar to the U.S. PROTECT Act) to allow the prosecution of suspected sex tourists for crimes committed abroad? If so, how many of the country's nationals were prosecuted and/or convicted during the reporting period under the extraterritorial provision(s) for traveling to other countries to engage in child sex tourism?

Although there is no identified industry devoted to child sex tourism in Paraguay, child sex tourism is suspected to occur, and Paraguay has several locations where foreign pedophiles are known to frequent, particularly in Ciudad del Este. The government did not prosecute, deport, or extradite any foreign pedophiles during the reporting period. Paraguay did not identify any citizens who were perpetrators of child sex tourism. The government did cooperate in breaking a child pornography ring run out of Austria that victimized Paraguayan children.

#### 15. (SBU) PROTECTION AND ASSISTANCE TO VICTIMS

5A. What kind of protection is the government able under existing law to provide for victims and witnesses? Does it provide these protections in practice?

The government provides limited protection, including some security safeguards, to victims who live in shelters or are assigned to foster parents. The government also provides shelter, meals, and transportation to some victims on short- and medium-term basis. Because resources are limited, the government can only assist up to approximately 100 trafficking victims at a time. Roundtable members Development Secretariat for the Repatriated and Co-National Refugees (SEDERREC), Women's Secretariat (SMPR), Children's and

Adolescents' Secretariat (SNNA) also help repatriate victims to their families; SNNA placed some child and adolescent victims in foster homes. The government does not typically follow up with victims once they are returned to their families, and does not provide protections to witnesses.

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5B. Does the country have victim care facilities (shelters or drop-in centers) which are accessible to trafficking victims? Do foreign victims have the same access to care as domestic trafficking victims? Where are child victims placed (e.g., in shelters, foster care, or juvenile justice detention centers)? Does the country have specialized care for adults in addition to children? Does the country have specialized care for male victims as well as female? Does the country have specialized facilities dedicated to helping victims of trafficking? Are these facilities operated by the government or by NGOs? What is the funding source of these facilities? Please estimate the amount the government spent (in U.S. dollar equivalent) on these specialized facilities dedicated to helping trafficking victims during the reporting period.

The country has some government-supported victim care facilities, including two shelters and three drop-in assistance centers for women, adolescents, and children who are victims of TIP. The USG supported a shelter run by the Women's Secretariat in Asuncion for women who are trafficking victims. A shelter and assistance center for children in Ciudad del Este is run by the NGO Center for Attention, Prevention, and Surveillance of Boys, Girls, and Adolescents (CEAPRA) and supported by the Children's and Adolescents' Secretariat. The country does not have victim care facilities for men. Foreign victims generally do not have the same access to government-operated shelters as domestic victims.

International organizations and NGOs work with Roundtable members and local Municipal Councils for Children's Rights (CODENI) in several cities to place trafficking victims with their families, in shelters, and in foster care. NGOs independently operate shelters and assistance centers for victims in Asuncion, Encarnacion, and Villarrica. In October 2009, with help from the European Union, an NGO opened the Complete Care Day Shelter (CADI) which plans to provide the care required to rehabilitate up to 75 child victims of trafficking and sexual exploitation during the three year program. The NGO Grupo Luna Nueva runs a shelter in Asuncion exclusively for domestic child and adolescent trafficking victims. The Red Cross, Paraguayan Network for Human Development (REPADEH), Dequeni Foundation, and Catholic charities run shelters and assistance centers for children and adolescents in Asuncion; a Catholic charity runs a shelter for children and adolescents in Encarnacion; the NGOs Women's November 25 Collective, CECTEK, and Kuna Roga operate assistance centers for women, children and adolescents in Encarnacion; and the Integral Attention Service for Adolescents (SAIA) has a children's and adolescents' assistance center in Villarrica.

The Paraguayan government provides some funding to support victim care, particularly shelters. The budget for the Women's Secretariat was increased by Congress in August 2009 to support greater engagement to combat trafficking in persons. A specific line-item was added for the fight against trafficking in persons - a first for Paraguay. However, Post estimates that the government still spends less than USD 125,000 annually to combat TIP, relying heavily on international assistance. In addition to the USG's ongoing support for the SMPR's Asuncion shelter, the Paraguayan government received funding during the reporting period from the United Nations Development Programme, UNICEF, Inter-American Development Bank, IOM, ILO, the European Union and the Spanish government to support various anti-trafficking initiatives.

5C. Does the government provide trafficking victims with access to legal, medical and psychological services? If so, please specify the kind of assistance provided. Does the government provide funding or other forms of support to foreign or domestic NGOs and/or international organizations for providing these services to

trafficking victims? Please explain and provide any funding amounts in U.S. dollar equivalent. If assistance provided was in-kind, please specify exact assistance. Please specify if funding for assistance comes from a federal budget or from regional or local governments.

The government provides trafficking victims with medical, psychological, and legal services to women in the Asuncion TIP victims' shelter. A government psychologist from the Women's Secretariat works part-time at the victims' shelter supported by the U.S. The government also supports NGOs CEAPRA's and Kuny Aty's efforts to provide medical, psychological, and legal services to victims who live in their shelters. Refer also to response in 5.B.

5D. Does the government assist foreign trafficking victims, for example, by providing temporary to permanent residency status, or other relief from deportation? If so, please explain.

The government provides limited assistance to foreign trafficking victims, notably to Bolivians trafficked internationally through Paraguay. In another case, 30 Indonesian orphans who were brought to Paraguay for an alleged long-term soccer training camp received food and aid from the Paraguayan government. However, the government concentrates its primary efforts on aiding Paraguayans who are victims of international trafficking. The government provides temporary or permanent residency status to those who request it.

5E. Does the government provide longer-term shelter or housing benefits to victims or other resources to aid the victims in rebuilding their lives?

The government, through the Women's Secretariat, provide limited access to shelter. There is no time limit on how long women may stay while they are receiving reintegration assistance. While most stay for several months, some women have stayed over a year. The government works cooperatively with several NGOs that have short and medium term housing options and provides material support to these NGOs helping to rebuild victim's lives.

5F. Does the government have a referral process to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care (either government or NGO-run)?

SEDERREC, SNNA, and SMPR refer victims to institutions that provide care.

5G. What is the total number of trafficking victims identified during the reporting period? (If available, please specify the type of exploitation of these victims e.g. "The government identified X number of trafficking victims during the reporting period, Y of which were victims of trafficking for sexual exploitation and Z of which were victims of nonconsensual labor exploitation.) Of these, how many victims were referred to care facilities for assistance by law enforcement authorities during the reporting period? By social services officials? What is the number of victims assisted by government funded assistance programs and those not funded by the government during the reporting period?

The Asuncion anti-TIP unit of the Public Ministry identified 138 victims assigned to cases (119 in Asuncion and 19 from Ciudad del Este), of which 134 were for sexual exploitation and 4 for nonconsensual labor exploitation. The Ministry also recorded 78

victims who received assistance, 30 of which were children. The Women's Secretariat provided direct assistance at their shelter to 19 adult women in 2009, 18 of whom suffered sexual exploitation, and one who suffered labor exploitation. Prosecutors at anti-TIP unit at the National Police recorded 81 victims, without specifying the type of exploitation; 30 of those 81 were children. In some cases, victims may have received assistance from more than one government body and are reflected in the numbers of more than one agency.

5H. Do the government's law enforcement, immigration, and social services personnel have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact (e.g., foreign persons arrested for prostitution or immigration violations)? For countries with legalized prostitution, does the government have a mechanism for screening for trafficking victims among persons involved in the legal/regulated commercial sex trade?

The police anti-TIP division has official systems for proactively identifying trafficking victims at a minority of land border crossings. However, these systems are hampered in practice by loose immigration controls at such crossings. Nevertheless, police were successful in the limited identification of potential trafficking victims at select border crossings during the reporting period, including several suspected potential victims whose border crossings were prevented. The government does not have a mechanism for screening trafficking victims among persons involved in the legal/regulated commercial sex trade. Immigration and customs officials at ports of entry, particularly at land border crossings, are neither equipped with appropriate tools nor trained in techniques to identify traffickers or victims. Fewer than four police officers or immigration and customs officials controlled some land-based ports of entry. These officials allowed traffic to pass without conducting identification and document checks. The Paraguayan government relies heavily on Argentine and Brazilian immigrations and customs officials to monitor international border crossings, although they too have been ineffective in identifying and stopping human traffickers and their victims.

5I. Are the rights of victims respected? Are trafficking victims detained or jailed? If so, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

Although the rights of victims are respected in most cases, abuses probably occurred. By policy, the government does not prosecute victims for violating laws and there is no systematic fining or punishment of victims.

5J. Does the government encourage victims to assist in the investigation and prosecution of trafficking? How many victims assisted in the investigation and prosecution of traffickers during the reporting period? May victims file civil suits or seek legal action against traffickers? Does anyone impede victim access to such legal redress? If a victim is a material witness in a court case against a former employer, is the victim permitted to obtain other employment or to leave the country pending trial proceedings? Are there means by which a victim may obtain restitution?

The government encourages victims to file complaints against traffickers, and assists in the investigation and prosecution of traffickers. Many victims cooperate by filing complaints to open investigations. However, victims often avoid participating in the legal process, including acting as witnesses for fear of potential retaliation by traffickers and social stigma. Victims may file

civil law suits or seek legal action against traffickers.

5K. Does the government provide any specialized training for government officials in identifying trafficking victims and in the provision of assistance to trafficked victims, including the special needs of trafficked children? Does the government provide training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries? What is the number of trafficking victims assisted by the host country's embassies or consulates abroad during the reporting period? Please explain the type of assistance provided (travel documents, referrals to assistance, payment for transportation home).

The government provided specialized training for some officials in identifying trafficking victims. The government's human trafficking intervention manual provides written guidance on identifying and assisting trafficking victims. The government also cooperated with NGOs to provide training. International Woman of Courage, Cynthia Bendlin, travelled to Europe and Argentina on an OIM grant to instruct Paraguayan consular officials on how to receive, interview, and assist victims in filing complaints and follow-up with law enforcement officials. Over thirty government officials received training (see 4F. above.)

In the Dutch case, the government provided return transportation to Paraguay. Working with SEDERREC the Foreign Ministry helped return seven other trafficking victims to Paraguay.

5L. Does the government provide assistance, such as medical aid, shelter, or financial help, to its nationals who are repatriated as victims of trafficking?

SEDERREC and the Foreign Ministry repatriate trafficking victims from abroad and SEDERREC provides them with limited legal, medical and psychological assistance (see also 5.B). The agency attempts to place repatriated victims with their families. When unsuccessful, the agency refers child and adolescent victims to shelters or foster homes and women to the Asuncion women's shelter for trafficking victims.

5M. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities?

International organizations and NGOs work with trafficking victims through the Roundtable and independently. They provide a wide range of services, including repatriation assistance, shelter, victims assistance (including medical, financial, and legal assistance), and education as well as training and sensitization programs for government employees. No international organization or NGO offers a comprehensive program to assist trafficking victims, but all receive cooperation from local authorities. Refer to response 5.B for a list of international organizations and NGOs that work with trafficking victims.

#### 16. (SBU) PREVENTION

6A. Did the government conduct anti-trafficking information or education campaigns during the reporting period? If so, briefly describe the campaign(s), including their objectives and effectiveness. Please provide the number of people reached by such awareness efforts, if available. Do these campaigns target potential trafficking victims and/or the demand for trafficking

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(e.g. "clients" of prostitutes or beneficiaries of forced labor)?  
(Note: This can be an especially noteworthy effort where



prostitution is legal. End Note.)

The government conducted several anti-trafficking information and education campaigns during the reporting period, including one with help from the OIM that provided potential victims contact numbers for hotlines used by the anti-TIP police units. Additionally, the government held several seminars and events designed to generate publicity regarding the dangers posed by trafficking in persons. In 2009, the Women's Secretariat hosted 12 regional workshops that reached 1000 individuals in person and many more via newspaper articles. These events were attended by the minister of the Women's Secretariat and anti-TIP prosecutors. They involved a publicity campaign that handed out anti-TIP bracelets worn to increase awareness of the problem.

Congress approved a budget line-item accepting about \$100,000 from the Interamerican Development Bank to conduct an anti-TIP publicity campaign in 2010.

The chief anti-TIP prosecutor and other government officials from Argentina and Brazil conducted seminars in both Asuncion and near Ciudad del Este highlighting TIP. Around 300 individuals attended the seminar in Asuncion. The Roundtable conducted an anti-trafficking seminar in Greater Asuncion during the reporting period to increase government officials' general knowledge of trafficking in persons (see also 4.F). Approximately 100 officials attended this training.

The SMPR sponsors programs focused on supporting education and job training for women and adolescent girls. The SNNA sponsors programs to combat child and adolescent labor, including programs to protect children and adolescents from forced labor. The government also works with international organizations such as IOM, ILO, and UNICEF to publish reports on trafficking and labor abuses in Paraguay.

To raise awareness among those seeking work abroad, the Foreign Ministry produced "know your rights when travelling" pamphlets with contact information for its embassies and consulates abroad and explanations of what rights immigrant workers have.

6B. Does the government monitor immigration and emigration patterns for evidence of trafficking? Do law enforcement agencies screen for potential trafficking victims along borders?

Refer to response in 5.H.

6C. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force?

Refer to response in 3.B.

6D. Does the government have a national plan of action to address trafficking in persons? If the plan was developed during the reporting period, which agencies were involved in developing it? Were NGOs consulted in the process? What steps has the government taken to implement the action plan?

SNNA has a national plan to address trafficking in children through the National Commission for the Prevention and Eradication of Childhood Labor and the Protection of Adolescent Labor (CONAETI). SMPR also has a national plan to address women's issues. The

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Roundtable will begin a process to create a comprehensive national plan to address TIP in March 2010. The Foreign Ministry publishes an annual compendium that includes the laws, legal codes, decrees, and resolutions related to trafficking that serves as a guideline

for the Roundtable. As members of the Roundtable, NGOs play a key role in advising the government on its anti-trafficking efforts. There is national action plan to combat forced and child labor, which was developed by the MJT with help from the International Labor Organization. This plan went into effect in January 2010.

6E. What measures has the government taken during the reporting period to reduce the demand for commercial sex acts?

The government did not take noticeable measures during the reporting period to reduce demand for commercial sex acts. Instead, the government focused its attention on victim's assistance, and prosecuting traffickers, and preventing the trafficking of persons.

6F. What measures has the government taken during the reporting period to reduce the participation in international child sex tourism by nationals of the country?

The government provided anti-trafficking training to its global peacekeepers to discourage them from participating in international child sex tourism (see 3.B and 4.F). However, in general, the government has not taken steps to reduce the participation of Paraguayan nationals in international child sex tourism.

17. (U) PARTNERSHIPS

7A. Does the government engage with other governments, civil society, and/or multilateral organizations to focus attention and devote resources to addressing human trafficking? If so, please provide details.

Yes, the government - primarily through the Roundtable - engages neighboring governments and multilateral organizations to focus attention on and devote resources to addressing trafficking. The Roundtable has partnered with Brazil and Argentina to promote counter-TIP efforts in the tri border region, including several regional seminars, joint visits to hostels, and coordinated law enforcement efforts. Argentine and American efforts have come to Paraguay to conduct training seminars during the reporting period.

7B. What sort of international assistance does the government provide to other countries to address TIP?

None.

18. The TIP POC at Embassy Asuncion is Ralan Hill  
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